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1 that a CGM is not “primarily and customarily used to serve a medical purpose” lacked
2 substantial justification. Accordingly, Plaintiff is entitled to his attorneys’ fees and costs
3 pursuant to 28 U.S.C. § 2412(d).

4 Dated: October 10, 2020

Respectfully submitted,

6 PARRISH LAW OFFICES

8 /s/ James C. Pistorino

James C. Pistorino

Attorneys for Plaintiff